

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

VINSON CARTER VINCENT,

Plaintiff,

v.

RONALD HAYNES, et al.,

Defendant.

CASE NO. 3:21-cv-05660-DGE-

SKV

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING PLAINTIFF'S
COMPLAINT

On October 5, 2021, Plaintiff, proceeding pro se and in forma pauperis, filed a civil rights action pursuant to 42 U.S.C. § 1983 alleging that Defendants Ronald Haynes, Superintendent at SCCC; Sara Kariko, Chief Medical Officer, M.D./Health Care Manager at SCCC; Ryan Herrington, Facility Medical Director at SCCC; and Ron Attard, Food Services Manager (FSM) at SCCC, violated his Eighth and Fourteenth Amendment rights by exposing him to Covid-19. (Dkt. No. 4.)

On October 5, 2021, United States Magistrate Judge S. Kate Vaughan instructed Plaintiff to file an amended complaint, curing a number of deficiencies in Plaintiff's pleadings. (Dkt. No.

1 5.) To date, Plaintiff has not filed a response to the Order or attempted to file an amended
2 complaint.

3 The Court, having reviewed Plaintiff's Complaint, the Report and Recommendation of
4 the Honorable S. Kate Vaughan, United States Magistrate Judge, any objections thereto, and the
5 remaining record, hereby finds and ORDERS as follows:

6 (1) The Report and Recommendation is ADOPTED;

7 (2) Plaintiff's Complaint is DISMISSED without prejudice for failure to prosecute;


8 (3) As Plaintiff failed to state a claim upon which relief can be granted, the Court finds
9 this case is a "strike" under 28 U.S.C. § 1915(g);

10 (4) The Clerk is directed to send copies of this Order to Plaintiff and to the Hon. S. Kate
11 Vaughan; and

12 (5) The Clerk shall close this case.

13 Dated this 13th day of January 2021.

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David G. Estudillo
United States District Judge